

ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD

1740 W. ADAMS ST., SUITE 4600, PHOENIX, ARIZONA 85007

PHONE (602) 364-1PET (1738) FAX (602) 364-1039

VETBOARD.AZ.GOV

RECEIVED

JUL 26 2021

BY: *GR*

COMPLAINT INVESTIGATION FORM

If there is an issue with more than one veterinarian please file a separate Complaint Investigation Form for each veterinarian

PLEASE PRINT OR TYPE

FOR OFFICE USE ONLY

Date Received: July 26, 2021 Case Number: 22-07

A. THIS COMPLAINT IS FILED AGAINST THE FOLLOWING:

Name of Veterinarian/CVT: MICHAEL WALKER & MONICA RUNGE

Premise Name: BRADSHAW MOUNTAIN ANIMAL HOSPITAL

Premise Address: 6227 E. 2ND ST.

City: PRESCOTT VALLEY State: ARIZ. Zip Code: 86314

Telephone: 928-772-7775

B. INFORMATION REGARDING THE INDIVIDUAL FILING COMPLAINT*:

Name: MICHAEL & TANYA BAUER

Addr: [REDACTED]

City: [REDACTED] State: [REDACTED] Zip Code: [REDACTED]

Home Telephone: [REDACTED] Cell Telephone: [REDACTED]

*STATE LAW REQUIRES WE HAVE TO DISCLOSE YOUR NAME UNLESS WE CAN SHOW THAT DISCLOSURE WILL RESULT IN SUBSTANTIAL HARM TO YOU, SOMEONE ELSE OR THE PUBLIC PER A.R.S. § 41-1010. IF YOU HAVE REASON TO BELIEVE THAT SUBSTANTIAL HARM WILL RESULT IN DISCLOSURE OF YOUR NAME PLEASE PROVIDE COPIES OF RESTRAINING ORDERS OR OTHER DOCUMENTATION.

C. PATIENT INFORMATION (1):

Name: TRIXIE
Breed/Species: TERRIER MIX
Age: 11 YRS+ Sex: F Color: TAN

PATIENT INFORMATION (2):

Name: _____
Breed/Species: _____
Age: _____ Sex: _____ Color: _____

D. VETERINARIANS WHO HAVE PROVIDED CARE TO THIS PET FOR THIS ISSUE:

Please provide the name, address and phone number for each veterinarian.

MONICA RUNGE DVM
BRADSHAW MOUNTAIN ANIMAL HOSPITAL
SAME INFO AS ITEM A
INITIAL EXAM ON 5/24/21

E. WITNESS INFORMATION:

Please provide the name, address and phone number of each witness that has direct knowledge regarding this case.

UNKNOWN.

Attestation of Person Requesting Investigation

By signing this form, I declare that the information contained herein is true and accurate to the best of my knowledge. Further, I authorize the release of any and all medical records or information necessary to complete the investigation of this case.

Signature: Michael Bauer - Janya B. Bauer

Date: July 21, 2021

F. ALLEGATIONS and/or CONCERNS: - *See attachment (F1)*
Please provide all information that you feel is relevant to the complaint. This portion must be either typewritten or clearly printed in ink.

Attachment F(1) - Allegations and concerns.

When we took Trixie into Bradshaw V.H., on 5/24/2021, she was examined by a Dr. Monica Runge.

We initially were concerned about her breath as it had become somewhat unpleasant and we didn't understand why as we had taken her to our veterinarian in Escondido, California about 20 months prior and had 7 teeth removed. She examined Trixie and gave us a dental estimate of between \$450 and \$770.00.

While my husband was there, he asked Dr. Runge to take a look at a growth that had formed on her left chest. She did and suggested that we have it removed when the teeth were extracted so as to require just one surgical procedure. She gave us a surgical estimate of between \$693 and \$1,419.75. These costs are reflected on the paperwork dated 5/14/2021.

Admittedly, we were a little stunned by these costs as we have had rescue dogs for 45 years and have never had these types of costs. However, costs have never been a part of our decision making when it comes to our pet's health. So, we decided to have both procedures done simultaneously so as not to have our pet anesthetized twice.

The earliest open date they had to perform this work was July 6, 2021.

On 7/6/2021, Michael dropped Trixie off at 7:45 and was asked to complete some basic paperwork. Included in this paperwork as a diagram of a dog lying on her back. Michael was asked to indicate the location of the growth that was scheduled to be removed. To his recollection, he indicated the left chest area with an X.

Michael picked her up at 3:30 on the afternoon and brought her home. We were very pleased with the bill as it indicated that she did NOT require ANY dental surgery. We were delighted to hear this as we thought the original diagnosis was in error and although we are not veterinary techs or doctors, were glad that Dr.(?) Runge had been very wrong in her assumption that Dr. Walker would want to do the extractions. He did however, provide a dental cleaning which we thought was a bit premature, but nonetheless, we were happy it wouldn't have to be done again for quite awhile.

Upon further examination of Trixie, he discovered that the growth that we wanted to have excised, was still there! We were shocked. Needless to say, Michael immediately returned to the Vet Clinic and asked the receptionist to get Dr. Walker as we needed to speak with him immediately. Unfortunately, at 4:45,(??) we were told he was "in surgery" and couldn't speak to Michael then, but would call us when he was finished with the surgery.

We asked her if she had an explanation for this unfortunate turn of events. She was understandably flustered and went to the rear of the office to speak with Dr. Walker and when she returned, mumbled something about him finding a small lump on Trixie's leg and removed it. The growth we wanted removed was the size of a large grape, and we had never seen a small growth on her leg so can't say what it looked like. She said doctor felt that the other growth should be removed in a separate surgery and that they would send us an estimate of the costs for that surgery. I couldn't believe my ears!! Is this his way of increasing business?? - by defrauding pet owners???

Needless to say, we never heard from him that evening or any evening thereafter.

I (Tanya, the wife) can't remember if I called to file a complaint on the following Thursday or Friday, but the office was closed until the following Monday, July 12th, with the message that my call would be returned the following Monday. Indeed, Tracy Riendeau called me on Monday and we spoke for about 20 minutes. She said she would mail me the complaint forms and I received them the following Wednesday.

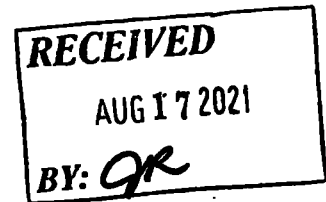
Strangely enough, later that same day, I received a call from the Bradshaw office from a very pleasant woman who was calling to see how Trixie was doing after her surgery. She obviously knew nothing about the issues regarding Trixie's surgery and was frankly, quite distressed by the story I related to her. She was totally puzzled by doctor's neglect of the situation and assured us that when he returned to the office after the weekend, that he would definitely contact us that Monday, the 12th of July. Unfortunately, although she did introduce herself, I was amiss in not remembering her name.

So, now he was supposed to call us on the evening of the 6th, and the evening of the 13th. It is now the 21st of July and still no call. We did take Trixie in on the 19th to get her stitches removed. There was no comment from the receptionist except that she was a very good girl. We also asked for a copy of the blood analysis which was provided for us.

I, of course, will never return to that office as I feel there is absolutely no communication between the doctors and the employees. I'm sure this is not the only oversight and unnecessary surgery that has been performed by Bradshaw and wish to put an end to our association with Dr. Walker and his assistants. However, I do think we need some satisfaction from our association with his clinic. We do not wish any monetary compensation, but certainly feel that we need to have earned the right to have him provide us with a qualified veterinarian at his cost.

Arizona State Veterinary Medical Examining Board
1740 W Adams St.
Ste. 4600
Phoenix, AZ 85007

Michael Walker - AZ Lic 2019
Bradshaw Mountain Animal Hospital
6227 E 2nd Street
Prescott Valley, AZ 86314
928-772-7775



Reference Number 22-07

Board Members,

Personal narrative of complaint:

"Trixie" Bauer is a 12 year old spayed female terrier mix. She was seen on May 24, 2021 by Dr. Runge for a dental exam and to check a growth. At that time Dr. Runge determined there was dental disease and noted a mass that she thought was of enough concern to remove. An estimate for a dental and dental with growth removal was given to the client and a surgery date was scheduled. On July 6, 2021 Mr. Bauer dropped Trixie off in the morning for the pets scheduled dental cleaning and growth removal. The patient was admitted by our surgical technician, who was newer to the surgical admission position, in a routine manor. Medical consents were completed and signed by Mr. Bauer and there were no other concerns brought up at the time of intake.

Upon examination of Trixie there were 2 growths of concern, one on the dorsal/medial lower brachial area and the other on the caudal shoulder chest area. The medial leg growth was raised, firm and mobile and the shoulder/ chest mass was raised, soft and mobile. It was determined that the shoulder/chest growth was likely a lipoma or skin cyst (unsure without testing) but the medial leg growth could not be determined what it was without testing and was of concern due to its location and character. The consent form was checked for the area marked by the owner and was somewhat ambiguous had been marked. At that time, I questioned the technician about which growth was to be removed or if both growths were to be removed. My technician answered that the owner only wanted one removed but the owner did not indicate which growth to the technician. I then reviewed the medical records to determine if previous conversations about the growths had been documented. Stated in the medical records, the growth on the medial upper antibrachium was the growth of concern. I had not found a growth on the antibrachium and determined by description and location the brachial growth I found was likely the same as the one referred to in the medical records. I then re-verified with the technician that the owner had only wanted 1 growth removed and that was confirmed by my admitting technician. We proceeded with the dental cleaning and removed the growth on the medial surface of the brachium. Upon excision it was determined that the growth consisted of fat so concern of neoplasia was extremely low and histopathology was not suggested since the owner already declined sending it in for testing. The surgery and recovery proceeded with no problems.

When Mr. Bauer picked up Trixie, he did not question the releasing technician about the growth removal. Apparently, later he talked to a receptionist and asked why we did not remove the growth on the side of Trixie. The receptionist proceeded to find me and ask about why the growth on the side was not removed. At that time I was in surgery with an emergency exploratory/intestinal anastomosis. I explained that I removed the growth of question in the records. I relayed an apology through the receptionist, advised her to let the owner know if it was the other growth that they wanted removed, we can reschedule to get it removed as soon as possible. The owner asked for an estimate of how much it would cost to remove the other growth and the receptionist made a communication note for this request. No other comments to our staff were made by the owner at that time.

Upon reading the communication note, an estimate that only included costs for additional anesthesia time and growth removal was made and presented to the owner during a routine post-op follow up call by one of our technicians. The owner expressed being displeased with the wrong growth being removed and did not want to put the dog through another surgery. The technician noted that she would let me know about the issue and completed a communication note for me. I did read the notation of the problem from the technician but did not immediately call the owner as we were in the middle of a busy day and I wanted time to consider the response to the situation.

At this point I dropped the ball as the message from Mr. Bauer needing a call back became lost in my paperwork and replaced from my thought with the business of the clinic. I did not get another message about his wanting to talk to me until the dog had come back for suture removal. At that time I reviewed the medical history and consent forms for errors on our end. Mr. Bauer was called and we discussed what had happened with the confusion of the growths. During our conversation, Mr. Bauer indicated he did not even know about the growth on the medial brachium that was removed. I apologized for the misunderstanding and admitted that I should have called prior to surgery since there was a question between 2 growths. Again, I offered to remove the growth in question, Mr. Bauer declined.

This problem was clearly a communication error. Mr. Bauer not being specific with the growth and not understanding which growth was recommended to be removed; poor clarification of which growth to be removed during check in by my technician; and my lack of clarifying the situation by calling the owner and relying solely on the medical records as well as lack of response to communication notes. I attempted to resolve the situation the day of the surgery by offering to remove the growth in question, but the communication damage had obviously already been done. There was no medical harm to Trixie though the owner is clearly in disagreement and upset by the process and communication errors.

In rebuttal of several comments that the owner made:

I have no intention of "increasing business" or "defrauding pet owners". I have plenty of clients and am a moral person. An estimate was given for the removal of the missed growth only because the owner asked for one, not because I required one. I did not "feel that the other growth should be removed in a separate surgery". Clearly the surgery could not and should not have been redone the same day for Trixie's health, time of day, and lack of immediate surgical time on the schedule. My comment to schedule a new surgery was to resolve the fact that the "wrong" growth had been removed. Had the owner followed through with the growth removal, I likely would not have charged anything due to the

confusion. Even if we had had a conversation and they said they wanted it removed and did not want to pay for it, I would likely have complied without complaint.

I do feel that the growth removed was adequately discussed with the owner in a prior exam and the owner knew of multiple growths on the dog. The notation of the "armpit" rather than "the left chest area", and the client's description of the growth as "the size of a large grape" described the growth that was removed.

The quote "Dr.(?) Runge had been very wrong..." was uncalled for on their part and should not reflect on the competency of Dr. Runge.

Lastly the comment of the "dental cleaning which we thought was a bit premature" was clearly incorrect. Significant tartar was present with periodontal issues. A cleaning was necessary to prevent further deterioration of the dental condition. I did not feel that there was enough damage to some of the teeth that Dr. Runge was concerned about to pull the teeth, but left unchecked it would not have been long before that condition would have changed.

Thank you for your time and consideration in this process.

Sincerely,

A handwritten signature in black ink that reads "Michael Walker DVM". The signature is written in a cursive, flowing style.

Michael Walker, DVM

DOUGLAS A. DUCEY
- GOVERNOR -



VICTORIA WHITMORE
- EXECUTIVE DIRECTOR -

ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD

1740 W. ADAMS STREET, STE. 4600, PHOENIX, ARIZONA 85007

PHONE (602) 364-1-PET (1738) • FAX (602) 364-1039

VETBOARD.AZ.GOV

INVESTIGATIVE COMMITTEE REPORT

TO: Arizona State Veterinary Medical Examining Board

FROM: AM Investigative Committee: Robert Kritsberg, DVM - Chair
Christina Tran, DVM
Carolyn Ratajack
Jarrod Butler, DVM
Steven Seiler

STAFF PRESENT: Tracy A. Riendeau, CVT
Marc Harris, Assistant Attorney General

RE: Case: 22-07
Complainant(s): Michael and Tanya Bauer
Respondent(s): Michael Walker, D.V.M. (License: 2019)

SUMMARY:

Complaint Received at Board Office: 7/26/21
Committee Discussion: 1/11/22
Board IIR: 2/16/22

APPLICABLE STATUTES AND RULES:

Laws as Amended August 2018
(Lime Green); Rules as Revised September
2013 (Yellow).

On May 24, 2021, "Trixie," an 11-year-old female Terrier mix was presented to Dr. Runge for an oral exam and have a mass evaluated. Complainants state they were concerned with a growth that was located on the left side of the dog's chest. When Dr. Runge examined the dog, Complainants expressed concerns with a mass on the left front leg; she recommended having the mass removed at the time of the dental procedure.

On July 6, 2021, the dog was presented to Dr. Walker to have the teeth cleaned with possible extractions and mass removal. Dr. Walker was not completely sure which mass Complainants wanted removed. He reviewed the medical records, the diagram the pet owner marked, spoke with staff, and examined the dog. Dr. Walker settled on the mass on the left front leg as the one that Complainants wanted removed. After the procedures that day, the dog was discharged.

After arriving home, Complainants realized the wrong mass was removed.

Complainant was noticed and did not appear.
Respondent was noticed and did not appear.

The Committee reviewed medical records, testimony, and other documentation as described below:

- Complainant(s) narrative: *Michael and Tanya Bauer*
- Respondent(s) narrative/medical record: *Michael Walker, DVM*

PROPOSED 'FINDINGS of FACT':

1. On May 24, 2021, the dog was presented to Dr. Runge to have an oral exam. According to Ms. Bauer, her husband also had Dr. Runge take a look at growth that had formed on the left side of the dog's chest. Upon exam, the dog had a weight = 12 pounds, a temperature = 101 degrees, a heart rate = 134bpm, and a respiration rate = 26rpm. Dr. Runge noted the dog had plaque and calculus covering most of the teeth and generalized gingival inflammation. She further ausculted a grade 3-4/6 left sided heart murmur.
2. Dr. Runge discussed heart disease and the dog's heart murmur with Complainants. She recommended thoracic radiographs as there can be an increased risk with anesthesia. Complainants declined work up of the heart murmur.
3. According to Dr. Runge, Complainants expressed concerns with the mass that was located on the left front limb, proximal dorsal antebrachium near elbow – SQ, mobile, soft/slightly firm, 1cm diameter. The dog had other SQ masses that have been present for years without much change. Dr. Runge recorded the mass on the left leg in the medical record as the mass Complainants were concerned about. She stated that she went over the importance for removing a mass on the leg and recommended the mass be removed at the time of the dental cleaning. Complainants approved and an estimate was provided for the procedures.
4. On July 6, 2021, Mr. Bauer brought the dog into the premises for the dental cleaning and mass removal. He was asked to complete paperwork and mark on a diagram where the mass was located that he wanted removed. Upon exam, the dog had a weight = 14 pounds, a temperature = 99.9 degrees, a heart rate = 130bpm, and a respiration rate = 14rpm. Dr. Walker ausculted the heart murmur, noted the dental disease, and found two masses – one on the dorsal medial left upper leg and one on the left cranial shoulder/chest – both soft and mobile.
5. Dr. Walker felt the mass on the shoulder/chest was a lipoma and the mass on the leg was of concern based on its location and character. He confirmed with staff that Complainants only wanted one mass removed but was not told which mass. Dr. Walker reviewed the consent form; the area marked for the mass to be removed was somewhat ambiguous. He also read Dr. Runge's notes about the mass to be removed. It was not completely clear, but based on his findings and the notes in the medical record, he proceeded with removing the mass on the brachial area.
6. Blood work was performed and determined the dog was a surgical candidate. An IV catheter was placed and LRS fluids were initiated. The dog was pre-medicated with atropine and butorphanol; induced with alfaxan; and maintained on sevoflurane and oxygen. The dog's teeth were cleaned, no extractions were needed, and the mass on the left leg was removed. It

appeared to be a fatty tumor. The dog was administered post-op pain medication – butorphanol and hydromorphone. The dog recovered uneventfully and the dog was discharged later that day with clindamycin. Mr. Bauer did not question the growth removal at discharge.

7. After arriving home, Complainants realized that the mass that was to be removed was still there. Mr. Bauer went back to the premises to speak with Dr. Walker. Dr. Walker was in surgery however advised staff that they could remove the mass at a discount. The dog had two masses close in proximity. Complainants wanted a call from Dr. Walker. It slipped Dr. Walker's mind and he did not call Complainants back that day.

8. On July 9, 2021, premises staff called Complainants to check on the dog after surgery. Ms. Bauer relayed that she was upset that the wrong mass was removed. Staff advised that they would have Dr. Walker return her call; the dog was reportedly doing well.

9. On July 19, 2021, the dog was presented to the premises for a suture removal. Complainants told staff that they had not heard from Dr. Walker about the wrong mass being removed. The sutures were removed and the dog was returned to the pet owners.

10. On July 21, 2021, Dr. Walker called Complainants to apologize for the wrong growth being removed. He admitted that he should have called to verify which mass since there were two growths present but he went off of the notes in the medical record. Dr. Walker offered to remove the growth in question; Complainants declined.

COMMITTEE DISCUSSION:

The Committee discussed that Respondent should have called Complainants prior to surgery to let them know that it was not clear on the paperwork which mass was to be removed. Respondent found two masses and the diagram was unclear. Respondent agreed with Dr. Runge which mass should be removed however, it was not the mass that Complainants wanted removed.

Respondent had several opportunities to address Complainants' concerns. The Committee felt that Respondent should have called Complainants prior to surgery when there was confusion on which mass was to be removed; when the pet owner came back that evening, Respondent should have taken the time to speak with him; and when they called at a later date to discuss the error, Respondent should have returned the call. Respondent even had the opportunity to speak to Complainants at the recheck, but did not. He did not call them until July 21st. The Committee felt this was poor communication with Complainants.

COMMITTEE'S PROPOSED CONCLUSIONS of LAW:

The Committee concluded that possible violations of the Veterinary Practice Act occurred.

COMMITTEE'S RECOMMENDED DISPOSITION:

Motion: It was moved and seconded the Board find:

ARS § 32-2232 (12) as it relates to AAC R3-11-501 (1) failure to show respect to the animal owner through courteous verbal interchange by not calling them prior to surgery to ensure the correct mass was removed from the dog; not speaking to the pet owner when he returned that day with concerns the wrong mass was removed; and did not return calls or speak to the pet owner at a recheck appointment to follow up with their concerns.

Vote: The motion was approved with a vote of 5 to 0.

The information contained in this report was obtained from the case file, which includes the complaint, the respondent's response, any consulting veterinarian or witness input, and any other sources used to gather information for the investigation.

TR

Tracy A. Riendeau, CVT
Investigative Division

BEFORE THE ARIZONA VETERINARY MEDICAL EXAMINING BOARD

IN THE MATTER OF:) CASE No.: 22-07
MICHAEL WALKER, DVM)
HOLDER OF LICENSE No. 2019) CONSENT AGREEMENT
FOR THE PRACTICE OF VETERINARY) FINDINGS OF FACT
MEDICINE IN THE STATE OF ARIZONA,) CONCLUSIONS OF LAW
RESPONDENT.) AND ORDER

In the interest of a prompt and judicious settlement of the above captioned matter before the Arizona State Veterinary Medical Examining Board ("Board") and consistent with the public interest, statutory requirements and responsibilities of the Board, and pursuant to A.R.S. §32-2201 et. seq. and A.R.S. § 41-1092.07 (F)(5), the undersigned party, Michael Walker, DVM ("Respondent"), holder of license No. 2019 for the practice of veterinary medicine in Arizona and the Board enter into this Consent Agreement, Findings of Fact, Conclusion of Law and Order ("Consent Agreement") as final disposition of this matter.

CONSENT AGREEMENT

Respondent understands and agrees that:

1. The Board has jurisdiction over Respondent and the subject matter pursuant to A.R.S. §32-2201, et. seq.

2. Respondent has the right to consult with an attorney prior to entering into this Consent Agreement. Respondent has a right to a public hearing

1 concerning this case. He further acknowledges that at such hearing she could
2 present evidence and cross-examine witnesses. Respondent irrevocably waives
3 his right to such a hearing.

4 3. Respondent irrevocably waives any right to rehearing or review or to any
5 judicial review or any other appeal of these matters.

6 4. The Consent Agreement, once approved by the Board and signed by the
7 Respondent, shall constitute a public record, which may be disseminated as a
8 formal action of the Board. Sufficient evidence exists for the Board to make the
9 Findings of Fact and Conclusions of Law set forth in the Consent Agreement.


10 5. Respondent acknowledges and understands that this Consent
11 Agreement will not become effective until the Board approves it and it is signed
12 by the Board's Executive Director. Respondent acknowledges and agrees that
13 upon signing and returning this Consent Agreement to the Board's Executive
14 Director, Respondent may not revoke his acceptance of the Consent
15 Agreement or make any modifications to the document, regardless of whether
16 the Consent Agreement has been issued by the Executive Director.

17 6. If any part of the Consent Agreement is later declared void or otherwise
18 unenforceable, the remainder of the Order in its entirety shall remain in force
19 and effect.

20 7. Respondent acknowledges that any violation of this Consent Agreement
21 constitutes unprofessional conduct pursuant to A.R.S. § 32-2232 and may result
22 in disciplinary action pursuant to A.R.S. § 32-2234.

23 8. This Consent Agreement and Order is effective on the date signed by the
24 Board.
25

1
2 DATED this 15 day of March 2022.

3
4 
5 Michael Walker, DVM

6 **FINDINGS OF FACT**

7 1. The Board is the duly constituted authority for the regulation and control of
8 the practice of veterinary medicine in the State of Arizona.

9 2. Respondent holds license No. 2019 for the practice of veterinary medicine
10 in the State of Arizona.

11 3. On May 24, 2021, "Trixie," an 11-year-old female Terrier mix was presented
12 to Respondent's associate, Dr. Runge, to have an oral exam. According to Ms.
13 Bauer, her husband also had Dr. Runge take a look at growth that had formed
14 on the left side of the dog's chest. Upon exam, the dog had a weight = 12
15 pounds, a temperature = 101 degrees, a heart rate = 134bpm, and a respiration
16 rate = 26rpm. Dr. Runge noted the dog had plaque and calculus covering most
17 of the teeth and generalized gingival inflammation. She further ausculted a
18 grade 3-4/6 left sided heart murmur.

19 4. Dr. Runge discussed heart disease and the dog's heart murmur with
20 Complainants. She recommended thoracic radiographs, as there can be an
21 increased risk with anesthesia. Complainants declined work-up of the heart
22 murmur.

23 5. According to Dr. Runge, Complainants expressed concerns with the mass
24 that was located on the left front limb, proximal dorsal antebrachium near
25 elbow – SQ, mobile, soft/slightly firm, 1cm diameter. The dog had other SQ

1 masses that have been present for years without much change. Dr. Runge
2 recorded the mass on the left leg in the medical record as the mass
3 Complainants were concerned about. She stated that she went over the
4 importance for removing a mass on the leg and recommended the mass be
5 removed at the time of the dental cleaning. Complainants approved and an
6 estimate was provided for the procedures.

7 6. On July 6, 2021, Mr. Bauer brought the dog into the premises for the dental
8 cleaning and mass removal. He was asked to complete paperwork and mark
9 on a diagram where the mass was located that he wanted removed. Upon
10 exam, the dog had a weight = 14 pounds, a temperature = 99.9 degrees, a
11 heart rate = 130bpm, and a respiration rate = 14rpm. Respondent ausculted the
12 heart murmur, noted the dental disease, and found two masses – one on the
13 dorsal medial left upper leg and one on the left cranial shoulder/chest – both
14 soft and mobile.

15 7. Respondent felt the mass on the shoulder/chest was a lipoma and the
16 mass on the leg was of concern based on its location and character. He
17 confirmed with staff that Complainants only wanted one mass removed but
18 was not told which mass. Respondent reviewed the consent form; the area
19 marked for the mass to be removed was somewhat ambiguous. He also read
20 Dr. Runge's notes about the mass to be removed. It was not completely clear,
21 but based on his findings and the notes in the medical record, he proceeded
22 with removing the mass on the brachial area.

23 8. Blood work was performed and it was determined the dog was a surgical
24 candidate. An IV catheter was placed and LRS fluids were initiated. The dog
25 was pre-medicated with atropine and butorphanol; induced with alfaxan; and

1 maintained on sevoflurane and oxygen. The dog's teeth were cleaned, no
2 extractions were needed, and the mass on the left leg was removed. It
3 appeared to be a fatty tumor. The dog was administered post-op pain
4 medication – butorphanol and hydromorphone. The dog recovered
5 uneventfully and the dog was discharged later that day with clindamycin. Mr.
6 Bauer did not question the growth removal at discharge.

7 9. After arriving home, Complainants realized that the mass that was to be
8 removed was still there. Mr. Bauer went back to the premises to speak with
9 Respondent. Respondent was in surgery; however, advised staff that they could
10 remove the mass at a discount. The dog had two masses close in proximity.
11 Complainants wanted a call from Respondent. It slipped Respondent's mind
12 and he did not call Complainants back that day.

13 10. On July 9, 2021, premises staff called Complainants to check on the dog
14 after surgery. Ms. Bauer relayed that she was upset that the wrong mass was
15 removed. Staff advised that they would have Respondent return her call; the
16 dog was reportedly doing well.

17 11. On July 19, 2021, the dog was presented to the premises for a suture
18 removal. Complainants told staff that they had not heard from Respondent
19 about the wrong mass being removed. The sutures were removed and the dog
20 was returned to the pet owners.

21 12. On July 21, 2021, Respondent called Complainants to apologize for the
22 wrong growth being removed. He admitted that he should have called to
23 verify which mass since there were two growths present, but he went off of the
24 notes in the medical record. Respondent offered to remove the growth in
25 question; Complainants declined.

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1 Agreement. The outline shall include **CE course details** including, **name,**
2 **provider, date(s), hours of CE** to be earned, and a **brief course summary.**

3 3. Respondent shall obey all federal, state and local laws/rules governing
4 the practice of veterinary medicine in this state.

5 4. Respondent shall bear all costs of complying with this Consent
6 Agreement.

7 5. This Consent Agreement is conclusive evidence of the matters described
8 and may be considered by the Board in determining an appropriate sanction
9 in the event a subsequent violation occurs. In the event Respondent violates
10 any term of this Consent Agreement, the Board may, after opportunity for
11 Informal Interview or Formal Hearing, take any other appropriate disciplinary
12 action authorized by law, including suspension or revocation of Respondent's
13 license.

14 ISSUED THIS 30th DAY OF March, 2022.

15 FOR THE BOARD:

16 ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD

17 Jim Loughhead, Chairperson


18
19 By 
Victoria Whitmore, Executive Director

20
21 Original of the foregoing filed
22 This 30th day of March 2022 with:

23 Arizona State Veterinary Medical Examining Board
24 1740 W. Adams St, Ste. 4600
25 Phoenix, Arizona 85007

Copy of the foregoing mailed by Certified, return receipt mail
This 30th day of March, 2022 to:

Michael Walker, DVM
Address on file
Respondent

By: 
Victoria Whitmore, Executive Director